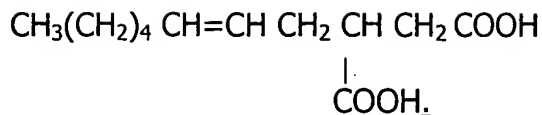


**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

- 1) (currently amended) A beverage product comprising a sealed container holding a liquid beverage component and nitrogen gas, said liquid beverage comprising octenylsuccinic acid modified starch, and at least one surface active agent selected from the group consisting of acyl lactylate salts, proteins, protein hydrolysates, sucrose esters and mixtures thereof wherein the beverage product, when opened, forms a foam on top of the liquid beverage, the foam not exceeding about 20% volume of the liquid beverage.
- 2) (original) A beverage product as claimed in claim 1 wherein the pressure of nitrogen in the head space of the container is in the range about 2 to about 6 bar at 5°C.
- 3) (currently amended) A beverage product as claimed in claim 1 wherein the octenylsuccinic acid modified starch is prepared by forming a covalent complex of a hydrophilic waxy maize starch with an octenylsuccinic acid moiety.
- 4) (currently amended) A beverage product as claimed in claim 3 wherein the octenylsuccinic acid is a carboxy substituted undecenoic acid of formula



- 5) (original) A beverage product as claimed in claim 1 wherein the percentage molar substitution of octenylsuccinic acid groups in the range of about 1.9 to about 3%.
- 6) (original) A beverage product as claimed in claim 5 wherein percentage molar substitution of octenylsuccinic acid groups is about 2.2%.
- 7) (original) A beverage product as claimed in claim 1 wherein molecular weight of the octenylsuccinic acid modified starch is in excess of about 100,000 kDa.
- 8) (original) A beverage product as claimed in claim 1 wherein the octenylsuccinic acid modified starch comprises about 0.25 to about 3.0% by weight of the liquid beverage component.
- 9) (currently amended) A beverage product as claimed in claim 8 wherein the octenylsuccinic acid modified starch comprises about 0.75 to about 1.5% by weight of the liquid beverage component.
- 10) (original) A beverage product as claimed in claim 1 wherein the acyl lactylate salt comprises an acyl moiety containing 8 to 16 carbon atoms.
- 11) (original) A beverage product as claimed in claim 10 wherein the acyl moiety of the acyl lactylate salt contains 10 to 14 carbon atoms.

- 12) (original) A beverage product as claimed in claim 10 wherein the acyl moiety of the acyl lactylate salt contains around 12 carbon atoms.
- 13) (currently amended) A beverage product as claimed in claim 1 wherein the acyl lactylate salt is a sodium or calcium salt.
- 14) (original) A beverage product as claimed in claim 13 wherein the acyl lactylate salt is calcium stearoyl lactylate, sodium stearoyl lactylate or mixtures thereof.
- 15) (original) A beverage product as claimed in claim 1 wherein the acyl lactylate salt comprises about 0.005 to about 1% by weight of the liquid beverage.
- 16) (original) A beverage product as claimed in claim 1 wherein the acyl lactylate salt comprises about 0.01 to about 0.5% by weight of the liquid beverage.
- 17) (original) A beverage product as claimed in claim 1 wherein the proteins and protein hydrolysates are those contained in or derived from milk.
- 18) (currently amended) A beverage product as claimed in claim 1 wherein the proteins and protein hydrolysates are selected from sodium caseinate, whey protein isolates or milk protein hydrolysates.
- 19) (original) A beverage product as claimed in claim 1 wherein the sucrose ester is predominantly a monoester.

- 20) (currently amended) A beverage product as claimed in claim 1 wherein the sucrose ester is prepared from sucrose and fatty acids derived from edible fats and oils, said fatty acids containing 8 to 16 carbon atoms.
- 21) (currently amended) A beverage product as claimed in claim 20 wherein the fatty acid is caprylic acid, lauric acid, myristic acid, palmitic acid, stearic acid or mixtures thereof.
- 22) (original) A beverage product as claimed in claim 1 wherein the sucrose ester comprises about 0.02 to about 0.4% by weight of the liquid beverage.
- 23) (original) A beverage product as claimed in claim 1 wherein the sucrose ester comprises about 0.05 to about 0.3% by weight of the liquid beverage.
- 24) (currently amended) A beverage product as claimed in claim 1 wherein the container also includes a widget comprises a device to put a head on the beverage component.
- 25) (currently amended) A method of making a beverage product that forms a foam on top of liquid beverage upon opening, comprising a container holding a liquid beverage component and nitrogen gas, said liquid beverage comprising octenylsuccinic acid modified starch, and at least one surface active agent selected from the group consisting of acyl lactylate salts, proteins, proteinhydrolysates and sucrose esters and mixtures thereof, said method comprising the steps of:-

incorporating the octenylsuccinic acid modified starch and the at least one surface active agent into the liquid beverage,  
placing the liquid beverage into the container,  
adding sufficient liquid nitrogen to the container to provide a head space pressure of about 2 to about 6 bar in the container after sealing, and  
sealing the container.